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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/943,061	08/30/2001	Aalim Lakhani	CA920000056US1/2178P	8697
7590	08/02/2005		EXAMINER	
SAWYER LAW GROUP P.O. Box 51418 Palo Alto, CA 94303			CHEN, TE Y	
			ART UNIT	PAPER NUMBER
			2161	

DATE MAILED: 08/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/943,061

Applicant(s)

LAKHANI ET AL.

Examiner

Susan Y. Chen

Art Unit

2161

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 May 2005.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-25 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Response to Amendment

This office action is in response to the amendment filed on May 31, 2005.

Claims 1-25 are pending for continued examination. No claims have been amended, merely arguments.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mikurak (U.S. Patent No. 6,606,744) in view of Wyatt (U.S. Patent No. 6,041,411).

As to claim 1, Mikurak discloses an e-commerce system [e.g., Fig. 4] for enabling the purchase of a package of products and services [e.g., Fig(s). 54-55], comprising:

a) a catalog database [e.g. see the modules 5300, 5324 of Fig. 53; Fig. 80; the Application Database of Fig. 121] comprising package data correlated to at least one package [e.g. see col. 178, lines 19-46].

b) a selection module coupled to the catalog database for allowing a customer to select a package for purchase [e.g. see the shopping Cart processing at col. 96 et seq., Fig. 55].

c) a resolution module coupled to the catalog database for resolving unresolved attributes of the one or more products in the selected unresolved package [e.g. see the Problem Handling process 1502, Fig. 21; col. 46, lines 54 – col. 48, lines 41].

Mikurak did not expressly disclosed that resolving the unresolved attribute of products in a package is by accessing the package data correlated to the selected unresolved package.

However, Wyatt disclosed an e-commerce system has a resolution module that resolving the unresolved attribute of products in a package is by accessing the package data correlated to the selected unresolved package [e.g., Fig. 7 and associated texts, col. 9, lines 24 – col. 10, lines 40].

Mikurak and Wyatt are in the same field of providing a resolution module to resolve the problems occurred in an e-commerce system. Thus, with the teachings of Mikurak and Wyatt in front of him/her, a ordinary skilled person in the art, at the time the invention was made would be motivated to modify Mikurak's resolution module with the technique taught by Wyatt, because by doing so, the combined system will provide a resolving module to resolve the unresolved attribute of products in a package via direct accessing the package data correlated to the selected unresolved package such that

the product is to be automatically launched upon purchase [e.g., Wyatt: col. 10, lines 30 – 40]

As to claim 2, the combined system further discloses the catalog database comprising item data, product data and attribute data [e.g., Mikurak: the Item catalog screen processing, col. 97, line 49 – 59; Wyatt: Fig.(s) 5-7].

As to claim 3, the combined system further discloses the catalog database comprising image data correlated to at least one package [e.g., see Mikurak: the on-line display of purchase list, col. 28, lines 21-23; col. 97, lines 55-56].

As to claims 4-5, the combined system further discloses the system connected to a global communication network – Internet [e.g., see Mikurak: the network (135), Fig. 1].

As to claims 6-9, the combined system further discloses the system comprising catalog database, selection module, resolution module, ordering module, and payment module [e.g., see Mikurak: Fig. 4, Fig(s). 20-27].

As to claims 10-16, these claims recite similar features as claims 1-9 in form of e-commerce processing method, hence are rejected for the same reason.

As to claims 17-25, these claims recited similar features as claims 1-15 in form of computer readable product implemented in multimedia signal-baring medium, via modulated carrier signal transmission over a network/internet [e.g., see Mikurak: Abstract, lines 1-12]. Thus, they are rejected for the same reason.

Response to Arguments

Applicant's arguments filed on May 31, 2005 have been fully considered but they are not persuasive.

The examiner disagrees with applicant arguments summarized as following:

- 1) "Mikurak provides conceptual ideas, but does not take the next step in teaching or suggesting how one would implement such conceptual functions."
- 2) "Wyatt's catalog file resides on the client computer...The product catalog lists only products and does not include packages, let alone unresolved packages."

In reply to the above arguments, the examiner points out that Mikurak specifically discloses the steps as recited by applicant in claims 1, 10, 15 and 17 for enabling the purchase of a package via an e-commerce system [e.g., Fig. 121 and associated texts]. Still Further, Mikurak clearly discloses a problem handling unit [e.g., the unit: 1502, Fig. 21] to hand the features as claimed. Additionally, Wyatt discloses an Electronic Commerce application system [e.g., Fig. (s) 3-10 and associated texts] resolving the unresolved attribute of products in a package [e.g., the decision units: 56, 66, Fig. 3] by

Art Unit: 2161

accessing the package data [e.g., the unit: 120, Fig. 6 and associated texts] correlated to the selected unresolved package [e.g., Fig. 5 and associated texts] via the client catalog file merge program [e.g., col. 9, lines 24-28] to build a integrated cataloged file having details as shown in catalog entry table 150, Fig. 7 and being stored in a catalog database [e.g., the unit 300, Fig. 10] of a client computer [e.g., the unit 12, Fig. 10]. Hence, one of ordinary skill in the art at the time the invention was made would in fact, contrary to applicant's arguments, look to incorporate the well-known technique as taught by Wyatt in Mikurak's system for direct accessing the package data correlated to the selected unresolved package such that the product is to be automatically launched upon purchase [e.g., Wyatt: col. 10, lines 30 – 40].

As to the rest of arguments, applicant merely rehashes issues already address on record.

Therefore, based on the discussion above, because applicant does not clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made. Further, they do not show how the amendments avoid such references or objections. The examiner concludes that the prior art read on the claimed features.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan Y. Chen whose telephone number is 571-272-4016. The examiner can normally be reached on Monday - Friday from 7:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 571-272-4023. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2161

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Susan Y Chen
Examiner
Art Unit 2161

July 30, 2005



UYEN LE
PRIMARY EXAMINER